

No. 19-

In the
Supreme Court of the United States

James Clayton Johnson,

Petitioner,

v.

State of Arizona,

Respondent

ON PETITION FOR A WRIT OF CERTIORARI TO THE
SUPREME COURT OF ARIZONA

MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Mikel Steinfeld
Counsel of Record
Kevin Heade
Maricopa County Public Defender's Office
620 W. Jackson, Suite 4015
Phoenix, Arizona 85003
(602) 506-7711
Mikel.Steinfeld@Maricopa.gov

Counsel for Petitioner

CAPITAL CASE

Motion

Petitioner, James Clayton Johnson, asks leave to file the attached petition for a writ of certiorari to the Arizona Supreme Court without prepayment of costs and to proceed *in forma pauperis* pursuant to Supreme Court Rule 39.

Petitioner was previously found indigent and appointed counsel. For the trial, the trial court found Johnson indigent and appointed counsel on December 30, 2010. After Johnson was convicted and sentenced to death, the Maricopa County Public Defender's Office was appointed, and filed its Notice of Appearance on February 12, 2016.

Respectfully submitted this 13th day of December, 2019.

MARICOPA COUNTY PUBLIC DEFENDER

By /s/ Mikel Steinfeld
Mikel Steinfeld
State Bar Attorney No. 024996
Counsel for Petitioner

IN THE SUPERIOR RCC-SE - State of Arizona - County of Maricopa

State of Arizona

1 Ct. KIDNAP F2

1 Ct. MURDER 1ST DEG- F1

Case # **PF2010048824001**

Release Order

Arr Rsn: MPDIF-4

VS.

JAMES CLAYTON JOHNSON

Defendant

IT IS HEREBY ORDERED that the defendant be released as indicated and must comply with ALL release conditions.

STANDARD CONDITIONS

☐ Evidentiary Hearing

at _____
201 W. Jefferson, Courtroom # _____, Phoenix, AZ 85003-2232, (602) 506-8573

☒ Status Conference

at 8:30 AM
222 E. Javelina, Mesa, AZ, 85210-, (602) 506-2086.

☒ Preliminary Hearing

at 8:30 AM
222 E. Javelina, Mesa, AZ, 85210-, (602) 506-2086.

Defendant must (a) appear to answer and submit to all further orders and processes of the court having jurisdiction of the case; (b) refrain from committing any criminal offense; (c) diligently prosecute any appeal; (d) not leave the state without permission of the court. If defendant violates any conditions of release and is found in any other jurisdiction, defendant hereby knowingly and voluntarily waives extradition.

Defendant must appear at all court proceedings in this case or release conditions can be revoked, a warrant will issue and proceedings may go forward in the absence of the defendant.

RELEASE TYPE

☐ **Own Recognizance:** The defendant is released and promises to appear in court as required.

☐ **Supervised Release:** The defendant is released on own recognizance, subject to the supervision restrictions and conditions of The Pretrial Services Agency, including:

☐ Drug and alcohol monitoring which may include testing, evaluation and treatment as directed by PSA.

☐ Electronic monitoring program:

☐ House arrest (remain in your residence at all times).

☐ Curfew (must remain in your residence between hours set by Pretrial Services).

☒ **Secured Appearance Bond:** The defendant will deposit with the Clerk of the above court the total sum of \$ 4,000.00 which includes all applicable surcharges.

☐ **No Bond:** The defendant is held without bond pursuant to Arizona Constitution Article 2, Section 22.

☐ **Third-Party Custody:** The defendant will be placed in the custody of: Name: _____ Address: _____

OTHER CONDITIONS AND RESTRICTIONS

☒ The defendant is not to return to the scene of the alleged crime.

☒ The defendant is not to initiate contact of any nature with the alleged victim(s) and/or complainant, including arresting officers.

☒ The defendant is not to possess any weapons or any drugs without a valid prescription.

☒ The defendant is not to drink alcoholic beverages, or drive without a valid driver's license.

☒ The defendant is to continue to reside at the present address or provide the court with proof of current local address.

☒ The defendant is to contact the probation/parole officer _____

☒ **The defendant must submit to DNA testing within five (5) days of release from custody at the arresting agency.**

Failure to comply with this order will result in the defendant's release being revoked.

☐ Other _____

ACKNOWLEDGEMENT BY DEFENDANT

I have received a copy of this form. I understand the standard conditions and all other conditions of my release checked above, and the consequences of violating this release order as listed below. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date **12/30/2010** / Booking # **P722455**

Address _____

City, State, Zip _____ Telephone _____

Signature _____

Defendant

Julia Lopez
Judge/Commissioner

CONSEQUENCES OF VIOLATING THIS ORDER: If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

In the Superior RCC-SE
State of Arizona - County of Maricopa

State of Arizona
vs.
JAMES CLAYTON JOHNSON

Booking #: P722455
Case #: PF2010048824001

ORDER REGARDING COUNSEL

THE COURT FINDS AND ORDERS:

- ☒ 1. Defendant is indigent. The following legal counsel is appointed to represent the defendant.
The defendant shall contact the below listed office or lawyer within 2 days of release from jail.

☒ **Maricopa County Public Defender** 620 W. Jackson Street, #4015, Phoenix, AZ. 602-506-7711
Monday-Friday 8 A.M. to 4:30 P.M. except holidays.

☐ **Legal Defender** 222 N. Central, Suite 8100, Phoenix, AZ. 602-506-8800

☐ **Legal Advocate** 3800 N. Central, Suite 1500, Phoenix, AZ. 602-506-4111

☐ **Office of Public Defense Services (OPDS)** 620 W. Jackson Street, Suite 3077, Phoenix, AZ.
602-506-7228

☐ Lawyer _____ Address _____
City _____, Arizona _____ Phone _____

- ☐ 2. Defendant is not indigent and is financially able to pay for a lawyer. Defendant has/has not advised the Court that he/she will hire a lawyer.
- ☐ 3. Defendant is indigent. COUNSEL TO BE DETERMINED BEFORE THE NEXT COURT DATE.
- ☐ 4. Defendant is NOT entitled to court appointed counsel due to nature of the charge. Rule 6.1(a) Arizona Rules of Criminal Procedure.

WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.

12/30/2010

Date



Julia Lopez
Judicial Officer

#13

PRETRIAL SERVICES AGENCY

State of Arizona vs. JOHNSON, JAMES CLAYTON
Court: BCC CT me
Date: 12/30/10 2pm

REVIEWED
BY MP

Risk Group.....: 2 Interview Refused/Unfit: N
Severity Level.....: 6 Property Offense.: N
(Before Factors) Flight Risk.....: N
Weapon Used.....: Y Prior FTA (1).....: Y
Injury to Victim...: Y Prior FTA (1+)....: N
Resides Alone.....: N
Final Robbery Offense...: N
Severity Level.....: 08 Highest Severity

Attorney
Appointment
☒ PD
☐ PVT
☐ NE
☐ PCWC

ARS Code.....: 13-1105

F/M: F1

Range: ~~PROBATION~~/PAROLE - HOLDS

UNUSUAL CIRCUMSTANCES

PNB() GJ Warr'T \$ 15,700() DOC Hold() PTS - Supervision:
Probation Hold() Immigration Hold()

SPECIAL CONDITIONS: PRETRIAL SERVICE

Interstate Parole from Colorado may release: 6/28/2011
open case: 022010-14968 armed robbery
12/21/10
NCD: 1/25/2011
EO: 12/7/10
active felony probation
upon absolute discharge

OTHER CONDITIONS AND RESTRICTIONS

- ☒ The defendant is not to return to the scene of the alleged crime.
☒ The defendant is not to initiate contact of any nature with the alleged victim(s) and/or witnesses, including arresting officers.
☒ The defendant is not to possess any weapons.
☐ The defendant is not to drink alcoholic beverages and drive, or drive without a valid driver's license.
☐ The defendant is to continue to reside at the present address.
☒ The defendant is to provide court with proof of current local address.
☒ The defendant is to contact the probation/parole officer
☐ The defendant is to reside with _____ at _____
☐ The defendant is not to possess any drugs and or drug paraphernalia without a valid prescription.
☐ The defendant is not to have any contact with anyone under the age of 18.
☐ Other _____

COMMISSIONER'S DECISION

Nonfinancial GUIDELINES FOLLOWED: YES() NO() NA()
Standard conditions _____ If no, indicate reason: _____
Special conditions _____
Secured bond (amount) _____

- () Probable Cause
() No Probable Cause

Victim Made Statement () YES () NO
Victim Favored Release ()
Opposed Release ()

**PRETRIAL SERVICES AGENCY
FINANCIAL INFORMATION**

8/2/83

Defendant's Name

James Clayton Johnson

Bkng.#

P722455

INSTRUCTIONS FOR THE DEFENDANT

The Magistrate needs to know about your financial situation in determining whether to require you to post bond and, if so, the amount of bond. The Magistrate must also determine whether or not you are entitled to have a lawyer appointed to represent you.

Defendant's Employer:

C.A.S. Reuniking

Spouse's Employer:

Pay Schedule-Monthly

Defendant

Spouse

Net Pay (amt. taken home)

\$1,000

Payroll Deductions for

Savings, stocks, etc.

Other Forms of income

Unemployment Comp.

Other:

Total Income per Month

Total Combined Income

\$1,000

Expenses-Monthly

Rent/House payment

Utilities

Food

Charge Account Payments

Loans Amt. Owed

Car Payments/Insurance

Child Support

Medical Care

Other:

\$500

Total Monthly Expenses

Other debts that you pay monthly or otherwise:

Debt

Pmt. Amt.

Total

How Often

Total debts owed:

Can you afford to pay for a lawyer to help you with this case?

Yes ☐ No ☒ Who:

How much could you pay each week, starting next week, for your lawyer's fee? Per Wk.

Do you want the Court to appoint a lawyer (Public Defender) to help you?

Yes ☒ No ☐ I have ~~been~~

open case

REMARKS:

IN custody since

12/11/10

supports 1 child Lauren Madison

OATH UNDER PENALTY OF PERJURY:

I have truthfully given the information, which appears in this statement. I have not knowingly concealed, or in any way misrepresented my financial resources. I am aware that I can be held in contempt of court, or prosecuted for perjury, if I have made any false statements. If the Public Defender or a court appointed attorney accepts my case, I will notify them of any changes in my financial resources, employment, income or re-arrest. I also give my permission for the Pretrial Services Agency staff to contact anyone named above or any agency or business concerning their investigation into the statements, I have made. I hereby make these statements under oath.

Date

12/30/10

Defendant's Signature

[Signature]

Witnessed by Pretrial Services Officer

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STATE OF ARIZONA	Plaintiff
-vs-	
James Clayton Johnson	
Defendant (FIRST, MI, LAST)	

[CASE/COMPLAINT NO.]
Booking No. _____

RELEASE QUESTIONNAIRE (To be completed by Law Enforcement)

Alias(es) James C. Johnston

(Check and explain where applicable)

GENERAL INFORMATION

Charges: 1-CT: ARS: 13-1105.A.2, 1st Degree Murder (C1F)

1-CT: ARS: 13-1304.A.3, Kidnapping (C2F)

Offense Date: 12-07-10 Offense Time: 1618 hrs.

Location: 2653 W. Baseline Rd, Mesa, AZ

Arrest Date: 12-29-10 Arrest Time: 2200 hrs

Arrest Location: 130 N. Robson, Mesa, AZ

A. PROBABLE CAUSE STATEMENT

1. Summarize and include the facts which establish **probable cause for the crime(s) charged**. Certain felonies may be non-bondable and require facts which establish **proof evident or presumption great** for the crime(s) charged. These include (1) felonies involving a capital offense, sexual assault, sexual conduct with a minor who was under fifteen years of age, or molestation of a child who is under fifteen years of age, (2) any class 1, 2, 3, or 4 felony or any violation of § 28-1383 if the person has entered or remained in the United States illegally, and (3) felony offenses committed when the person charged is already admitted to bail on a separate felony charge.

Explain the crime(s) in detail (e.g., arresting officer or other law enforcement officers witnessed offense, physical evidence directly connects defendant to offense, multiple eyewitnesses, defendant admissions, victim statements, nature of injuries, incriminating photographic, audio, visual, or computer evidence, defendant attempted to flee or resist arrest):

On offense date and time listed above, Mesa Police responded to a disturbance call at the Taiwan Massage, a business located in a small strip mall. A third-party caller (Indirect Witness) was reporting loud banging on the adjoining business walls along with the sound of a female crying. The witness, prior to contacting the police, entered the massage business to investigate the noise. The witness had a face-to-face encounter with the suspect as he was exiting the restroom. The witness, who is familiar with the female who works at the massage business, asked the suspect of her whereabouts. The suspect told the witness an ambulance took her away after she cut herself. The suspect walked out of the business after the witness went back to his place of employment to call the police.

The caller reported the male suspect, of Asian or Filipino ethnicity, fled from the scene in a white Chevrolet pickup truck with a toolbox affixed to the rear of the truck bed. This vehicle

was captured on a nearby security camera arriving and leaving the area during the time-frame the crime is believed to have been committed.

Upon police arrival, they discovered the operator of the business, a 42 year old female victim, deceased from what appeared to be multiple stab wounds. The victim was located lying on her back in a back room with her wrists bound together in front of her body with plastic zip ties. The victim sustained a severe cut to the left side of her neck. Zip ties were also placed together and affixed around the victim's neck. An unknown symbol was carved into the victim's stomach. The victim sustained additional stab wounds to her torso, back, face and hands.

An autopsy later confirmed the cause of the victim's death to be the stab wound to the neck and back. The manner of death was determined to be Homicide. The autopsy also determined the wound to the victim's neck severed all of the major organs to include her spine. The stab wounds to the victim's hands are believed to be defensive in nature and were possibly inflicted at the time her wrists were bound with the zip ties.

A Search Warrant was served on the business and evidence collected. Identical zip ties, similar to the ones used to restrain the victim, were discovered on a couch inside the office of the business. The zip-ties were pre-fashioned in loops, which would allow them to be quickly placed on someone if used for restraining purposes.

Wires were cut from the security system cameras inside the business. A security camera was missing from a fixed position on the wall, which monitored the entrance to the business. A CD disk was pulled out of a CD player and broken into pieces in what might have been mistaken for a disk containing a security video recording. Phone and electrical wires were cut on the credit card transaction terminal. The item/s used to injure/cut the victim were not located.

On 12-14-10 the Mesa Police Department obtained information of an Armed Robbery and Kidnapping incident at a Christmas Tree lot that occurred on 12-10-10 at approximately 2204 hours in the jurisdiction of the Gilbert (AZ) Police Department (Gilbert PD report #10-000021360). This incident involved an Armed Robbery committed by an Asian male suspect who was arrested and identified as James Clayton Johnson DOB/08-02-1983, who will be referred to as the defendant for the remainder of the Probable Cause statement.

During the incident on 12-10-10 the defendant, wearing black clothing, black baseball hat, black ski mask, gloves and armed with a BB/Pellet handgun, which has the appearance of a real firearm, attempted to restrain the adult male victim behind his back using zip ties but for an unknown reason was unsuccessful.

The Gilbert Police Department recovered items during their Armed Robbery investigation that could have possibly been used by the defendant on 12-07-10 at the massage business. The recovered items are zip ties, to include some of them pre-fashioned in a loop similar to the ones found during the Mesa Homicide investigation, 2 knives and 2 wire cutting instruments.

From the information obtained reference the Gilbert Police incident and arrest, Mesa Police detectives went to the defendant's residence in Gilbert, AZ. The vehicle (white Chevrolet truck) believed to have been used by the defendant to arrive and leave the Homicide scene was found at this location parked on the driveway. The truck contained a black toolbox, which was the same as depicted in the security video obtained on 12-07-10.

A Search Warrant was served on the defendant's residence and the vehicle seized and impounded. The truck was searched the following day. A security camera, similar in appearance to the undamaged security camera inside the massage business, was located inside the affixed toolbox. This security camera appears to be the one missing from the massage business; however, it has not been confirmed at this time.

The zip ties recovered on 12-07-10 in the massage business on the couch in the office were analyzed and processed for DNA by the Mesa Police Crime Lab. On 12-28-10 investigators were notified DNA was obtained from the zip ties, which were entered into the Combined DNA Index System. DNA obtained from the zip ties matched that of the defendant. The defendant's DNA had been previously downloaded and stored in the DNA Index System from a prior felony conviction for Forgery.

On 12-29-10 police interviewed the defendant. The defendant claimed he did not know what we (police) were talking about before he requested a lawyer.

2. The person entered or remained in the United States illegally. Explain in detail (e.g., admission by the person, statements of co-defendants at the time of arrest, verification of illegal presence or proceeding establishing illegal presence): N/A
3. The crime(s) occurred while the person was admitted to bail on any separate felony. Provide information on the separate felony: N/A

C. OTHER INFORMATION

1. Defendant is presently on probation, parole or any other form of release involving other charges or convictions. Explain: At the time of this incident, the defendant was/is on Parole in Arizona out of Colorado via Interstate Compact for Felony Attempt to Commit a Property Crime. This was confirmed with the defendant's AZ Parole Officer Richard Mehner (480-844-3817).

Per the Maricopa County Adult Probation Department, P.O. Scott Mortensen (602-619-3012), the defendant is scheduled to begin Supervised Probation for a felony Theft conviction pertaining to Maricopa County Superior Court docket #CR2009-006010 upon his absolute discharge from the Interstate Compact Parole out of Colorado on 06-28-2011.

Defendant's NAME: James Clayton Johnson
DOB: 08/02/1983 **BOOKING NO.:** **CASE NO.:** 20103410678

2. List any prior:

Arrests: Misd. Assault and Abduction D.V - Nov. 2004 (Colorado)
Felony Weapons Offense - March 2005 (Colorado)
Misd.Larceny and Felony Trespassing - May 2005 (Colorado).
Felony Contempt of Court - December 2009 (Colorado).
Felony Forgery and Fraud Schemes - August 2008 (Arizona)

Convictions: Misd and Felony Possession of a Weapon - March 2005 (Colorado).
Felony Forgery and Theft - June 2009 (Arizona).

Failures to Appear (FTA): None

Protective Orders: N/A

3. There is an indication of:

- | | |
|---|--|
| <input type="checkbox"/> Alcohol Abuse | <input type="checkbox"/> Other Substance Abuse |
| <input type="checkbox"/> Mental Health Issues | <input type="checkbox"/> Physical Illness |
| <input type="checkbox"/> Developmental Disability | |
- Explain: _____

4. Defendant is employed by: Wright Connection Plumbing
Address: 165 E. Southern Ave #102, Mesa, AZ
Phone: 480-615-1021
How long: 2 months

5. Defendant resides at: 636 E. Vermont Dr, Gilbert, AZ
With Whom: Parents
How Long: 2 months
Alternate address for court notification: N/A

6. Facts to indicate defendant will flee if released: None

7. Reasons to oppose an unsecured release: Nature of Crime.
Defendant fled the crime scene.

Defendant on Supervised Parole out of Colorado via
Interstate Compact Agreement with Arizona at the time he is
alleged to have committed this crime.

Defendant is currently incarcerated in the Maricopa County
Jail (No Bond Status) and is scheduled to be sentenced on
01-25-2011 pertaining to an Armed Robbery (plea
agreement) in Maricopa County Superior Court Docket
#2010-164968.

D. CIRCUMSTANCES OF THE OFFENSE

- ☒ Defendant used firearm or other weapon
Type: Zip ties, Cutting instrument.
- ☒ Defendant injured someone.
Explain: Defendant inflicted fatal injuries to the victim.
- ☒ Medical attention was necessary
Nature of injuries: Victim deceased at the incident location.
- ☐ Defendant threatened someone
Nature of threats: N/A
- If property offense
 - Value of property taken/damaged: _____
 - ☐ Property was recoveredNames of co-defendant(s), if any: None

E. CRIME(S) AGAINST PERSONS

- Relationship of defendant to victim: Defendant is believed to be a stranger to the victim.
- ☐ Victim(s) and defendant reside together.
- Law enforcement learned of the situation by ☐ Victim
☒ Third Party ☐ Officer observation
- ☐ Previous incidents involving these same parties
Explain: Unknown
- Defendant is currently the subject of:
☐ Order of Protection
☐ Injunction against Harassment
☐ Other court order: N/A
- ☐ Likelihood of inappropriate contact with victim(s)
Explain: N/A
- ☒ Victim(s) expressed an opinion on defendant's release.
Explain: Direct and indirect witnesses have expressed fear of retaliation by the defendant.

Defendant's NAME: James Clayton Johnson
DOB: 08/02/1983 BOOKING NO.: CASE NO.: 20103410678

F. DOMESTIC VIOLENCE DEFENDANT ISSUES

- ☐ Access to or use of weapons
 - ☐ Children/Vulnerable adults present
 - ☐ Crime occurred in public
 - ☐ Control/ownership/jealousy issues
 - ☐ Depression
 - ☐ Frequency/intensity of Domestic Violence increasing
 - ☐ Kidnapping
 - ☐ Potential for multiple violations of court orders
 - ☐ Prior history of Domestic Violence
 - ☐ Prior Protective Order
 - ☐ Recent separations
 - ☐ Stalking behavior
 - ☐ Threats of homicide/suicide/bodily harm
 - ☐ Violence against children, vulnerable adults or animals
- Explain: N/A

G. CIRCUMSTANCES OF ARREST

1. Did defendant attempt to:
☐ Avoid arrest ☐ Resist arrest ☐ Self Surrender
Explain: Defendant was already in-custody in the Maricopa County Jail on unrelated charges.
2. ☐ Defendant was armed when arrested
Type of weapon: N/A
3. ☐ Evidence of the offense was found in defendant's possession
Explain: N/A
4. State whether defendant was under the influence of alcohol or drugs at the time of the offense
☐ Yes ☐ No ☒ Unknown
Type of substance: _____

I certify that the information presented is true to the best of my knowledge:

12-29-10
Date

H. DRUG OFFENSES

1. If the defendant is considered to be a drug dealer, state the supporting facts: N/A
2. State quantities and types of illegal drugs directly involved with offense N/A
 - ☐ Methamphetamine was involved:
 - ☐ Drug field test was positive:
 - ☐ Defendant admission of drug type: _____
 - ☐ Approximate monetary value of drugs: _____
3. State evidence of illegal drug use N/A
4. State whether money was seized
☐ Yes ☐ No
Amount: N/A

If this is a fugitive arrest, complete the affidavit as required by the Uniform Criminal Extradition Act (ARS § 13-3841 et seq.)

Det. Thomas Denning /Mesa Police Dept./ 8516
Arresting Officer/Agency/ Serial No.
Duty Phone No. 480-644-4426

St. R. V. Anderson

P 722455

STATE OF ARIZONA, COUNTY OF MARICOPA
RELEASE QUESTIONNAIRE SUPPLEMENTAL – PROP 100 QUESTIONS

DEFENDANT'S NAME: James Clayton Johnson **DOB:** 08-02-1983 **BOOKING NO.** _____

ALIASES: James C. Johnston **CASE NO.** 20103410678

1. Is the alleged offense a class 1, 2, 3, or 4 felony or a violation of A.R.S. 28-1383?

☒ **Yes**

☐ **No**

☐ **Unknown**

If yes, as to guilt, proof is evident or presumption is great for the following reasons. Explain in detail (e.g., arresting officer or other law enforcement officers witnessed offense, physical evidence directly connects defendant to offense, multiple eye-witnesses, defendant admissions, victim statements, nature of injuries, incriminating photographic, audio, visual, or computer evidence, defendant attempted to flee or resist arrest).

On offense date and time listed above, Mesa Police responded to a disturbance call at the Taiwan Massage, a business located in a small strip mall. A third-party caller (Indirect Witness) was reporting loud banging on the adjoining business walls along with the sound of a female crying. The witness, prior to contacting the police, entered the massage business to investigate the noise. The witness had a face-to-face encounter with the suspect as he was exiting the restroom. The witness, who is familiar with the female who works at the massage business, asked the suspect of her whereabouts. The suspect told the witness an ambulance took her away after she cut herself. The suspect walked out of the business after the witness went back to his place of employment to call the police.

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Upon police arrival, they discovered the operator of the business, a 42 year old female victim, deceased from what appeared to be multiple stab wounds. The victim was located lying on her back in a back room with her wrists bound together in front of her body with plastic zip ties. The victim sustained a severe cut to the left side of her neck. Zip ties were also placed together and affixed around the victim's neck. An unknown symbol was carved into the victim's stomach. The victim sustained additional stab wounds to her torso, back, face and hands.

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On 12-29-10 police interviewed the defendant. The defendant claimed he did not know what we (police) were talking about before he requested a lawyer.

2. Has the person entered or remained in the United States illegally?

☐ Yes

☒ No

☐ Unknown

If yes, probable cause is established for the following reasons. Explain in detail (e.g., admission of the person, statements of co-defendants at the time of arrest, verification of illegal presence, information provided at the issuance of a warrant in conjunction with a direct complaint or grand jury proceeding establishes illegal presence).

I certify that the information presented is true to the best of my knowledge.

Det. T. Denning 8516
ARRESTING OFFICER / SERIAL NUMBER

Mesa PD 480-644-4426
ARREST AGENCY / DUTY PHONE NUMBER

12/29/10
DATE

Mikel Steinfeld
AZ Bar No. 024996
Rena Glitsos
AZ Bar No. 013009
LAW OFFICE OF THE PUBLIC DEFENDER
620 West Jackson Street, Suite 4015
Phoenix, Arizona 85003-2423
(602) 506-7711
ACE@mail.maricopa.gov
Attorney for APPELLANT

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,

Appellee,

v.

JAMES CLAYTON JOHNSON,

Appellant.

Arizona Supreme Court
No. CR 16-0261-AP

Maricopa County Superior Court
No. CR2010-048824-001 DT

NOTICE OF APPEARANCE

The Maricopa County Public Defender's Office has been appointed to represent Mr. Johnson on appeal. I, Mikel Steinfeld, and I, Rena Glitsos, hereby enter our appearances as Counsel of Record on behalf of Appellant for all further proceedings in the above-captioned matter. Please direct all future correspondence to:

Maricopa County Public Defender's Office
Appeals Section
620 West Jackson, Suite 4015
Phoenix, Arizona 85003

RESPECTFULLY SUBMITTED this 12th day of February, 2016.

LAW OFFICE OF THE PUBLIC DEFENDER

By /s/ Mikel Steinfeld
MIKEL STEINFELD
Deputy Public Defender

By /s/ Rena Glitsos
RENA GLITSOS
Deputy Public Defender

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